

**Enrolled Minutes of the Sixth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, February 27, 2012**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, February 27, 2012 at 6:30 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Dan Vassar, and Brian Novak were present. Councilor Konnie Kuiper joined the meeting at 6:42 p.m. and Councilor Mark Herak joined the meeting at 6:50 p.m. owing to a work delay. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council discussed the additional appropriation request posed by the Highland Community Foundation to support the authority to expend the proceeds of a grant presented by BP Amoco and to be deposited in the Parks Non-Reverting Capital Fund. The grant is to support the development of a park located at the southeast corner of Fifth and 45th Streets.

The discussion included inquiries about who or what department was responsible for maintenance and aesthetics for the various parkways, which may be associated with various subdivisions in the Town.

3. Keith Bruxvoort, Vice President of Finance for Strack and Van Til, LLC (SVT, LLC) as well as President of the Highland Board of Waterworks Directors, discussed a pending request for tax abatement that was to be filed by SVT, LLC associated with improvements to the Warehouse located on 45th Avenue. It was noted that SVT determined rather than move the administrative offices to properties in Illinois, to retrofit and expand the current warehouse property and consolidate its administrative offices to make a Headquarters for SVT at its warehouse site. It is noted that the area is already an *established economic revitalization area*.

The study session ended at 6:50 O'clock p.m.

Regular (rescheduled) meeting. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular (rescheduled) session on Monday, February 27, 2012 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Council President Bernie Zemen presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Council President Zemen reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Konnie Kuiper and Brian Novak. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; Kenneth J. Mika, Building Commissioner; Alex M. Brown, CPRP, Parks and Recreation Superintendent; William R. Timmer, CFOD, and Cecile Petro, Redevelopment Director were present.

Also present: Ed Dabrowski IT Director (Contract); Keith Bruxvoort, Board of Waterworks Directors; and Lisa Gauthier, Community Events Commission were also present.

Others present: Bill Claesgens of Bell's Appliquence was also present.

Minutes of the Previous Meetings

The minutes of the regular meeting of February 13, 2012 were approved by general consent.

• Statutory Boards and Commissions

Executive Appointments (May be made in meeting or at another time)

1. **Board of Sanitary Commissioners:** (1) appointment to be made by Town Council President. (Note: need to fill unexpired term in vacancy formerly held by, R. Johnsen (D))

The Town Council President announced his appointment of **Jay D. Shelton (D)**, 10132 Idlewild Lane, Highland to serve on the Board of Sanitary Commissioners. The appointment is a successor appointment, fulfilling the unexpired term of Robert Johnsen, whose vacancy was in consequence of his resignation to be named the Assistant Public Works Director.

Legislative Appointments (made by the Town Council)

1. **Park and Recreation Board** (1) appointment to be made by Town Council. (Note: currently serving Tom Arnold (R))

Councilor Vassar, seconded by Councilor Kuiper moved to appoint **Christopher Ray (R)**, 9027 Parrish Avenue, Highland to a four-year term on the Park and Recreation Board, seconded by Councilor Kuiper. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Christopher Ray was appointed to the Park and Recreation Board.

Unfinished Business and General Orders:

1. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Bell Parts Supply, Inc., 2609 45th Avenue, Highland.** At its meeting of April 28, 2008, the Highland Town Council approved Bell Parts Supply's application for property tax abatement upon the increase in assessed value in consequence of construction of a new building addition and façade improvements at 2609 Forty Fifth Street, for a period of time not to exceed ten (10) calendar years, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. This represents the second review of compliance for this property. The Town Council conducted its first review at its meeting of February 28, 2011.

(a) Report of the Redevelopment Director regarding Bell Parts Supply's Compliance with its Statement of Benefits and the information set for the Form CF-1. The Redevelopment Director should affirmed the representations in the form and indicated that the applicant has paid any and all fees due. She further noted that owing to a significant decrease in the assessed valuation of the specific property on 2609-45th Avenue, the value of the tax abatement was reduced. The Redevelopment Director recommended a favorable finding of compliance.

(b) Action of the Town Council regarding Bell Parts Supply's Compliance with its Statement of Benefits approving or disapproving the information set for the Form CF-1. *Either the Town Council may move to find Bell Parts Supply in compliance with its statement of benefits and approve the Form CF-1 or it may move to find it non-compliant with its statement of benefits and disapprove the Form CF-1.*

Councilor Herak moved to approve the Form CF-1 filed by Bell's Parts Supply and find them in compliance with the terms of the tax abatement as granted to Bell Part's Supply. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no

negatives. The motion passed. The Form CF-1 as filed was approved and Bell's Parts Supply was found in compliance.

2. **Authorize the proper officer to publish a notice for proposed additional appropriations in the Parks Non-Reverting Capital Fund in the Amount of \$150,000 for 45th Street Park Improvements. This is being funded by a grant from BP Amoco, in cooperation with the Highland Community Foundation.**

Councilor Herak moved to authorize the publication of a notice for proposed additional appropriations as set forth above. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The notice and hearing were authorized.

Comments from the Town Council Members
(For the Good of the Order)

- **Councilor Mark Herak:** • *Budget and Finance Chair • Liaison to the Board of Waterworks Directors • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission.*

Councilor Herak recognized the Public Works Director who offered a cursory survey of the Indianapolis US 41 improvement project.

Councilor Herak recognized the Superintendent of Parks and Recreation, who reported on the licensing progress of the lessee daycare provider.

The Parks and Recreation Superintendent also reported on the implementation of walker fees for non-resident users of the Lincoln Community Center walking track. A colloquy ensued regarding whether there were automatic defibrillators at the reconstructed facility. The discussion included whether all staff have been trained to use it and whether a refresher training session could be scheduled.

- **Councilor Dan Vassar:** • *Redevelopment Commission Liaison • Park and Recreation Board Liaison.*

Councilor Vassar acknowledged the Redevelopment Director who thanks the Town Council for approving the Bell Parts Supply's CF-1 Form. Councilor Vassar also congratulated Highland Student Adam Johnson on his Swimming State Championship showing.

- **Councilor Brian Novak:** • *Advisory Board of Zoning Appeals, Liaison.*

Councilor Novak had no report.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison • Town Board of Metropolitan Police Commissioners Liaison • Chamber of Commerce Liaison.*

Councilor Kuiper had no report.

- **Councilor Bernie Zemen:** *Town Executive • Chamber of Commerce Liaison • Police Pension Board Chairman • Plan Commission member.*

Council President Zemen reported a change in liaison assignments, noting that Councilor Herak would be Park and Recreation Board Liaison and the Council President would be the Waterworks Board Liaison.

Comments from the Public or Visitors

There was no public or visitor comment.

Payment of Accounts Payable Vouchers. There being no comments from the public or visitors, Councilor Kuiper moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period February 14, 2012 through February 27, 2012. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors were allowed and the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$238,130.86; **Motor Vehicle Highway and Street (MVH) Fund**, \$40,419.59; **Law Enforcement Cont. Education and Supply Fund**, \$1,461.99; **Corporation Bond and Interest Fund (Exempt)**, \$64,421.81; **Capital Projects Retainage Agency Fund**, \$17,697.01; **Corporation Bond and Interest Fund (new)**, \$299,367.50; **Information and Communications Technology Fund**, \$6,342.79; **Civil Donation Fund**, \$127.09; **Police Pension (1925 Law) Fund**, \$58,929.38; **Traffic and Law Violations Agency Fund**, \$7,782.00; **Safe Neighborhood Grant Fund**, \$2,016.00; **Sexual Predator Grant Fund**, \$2,880.00; **Gaming Revenue Sharing Fund**, \$2,819.92; **Total: \$742,395.94.**

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Vassar seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, February 27, 2012 was adjourned at 7:22 O'clock p.m.

Study Session. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session immediately following the regular meeting on Monday, February 27, 2012 at 7:24 p.m. in the upper room study chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Brian Novak and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Also present: Rhett L. Tauber, Town Attorney; John M. Bach. Public Works Director; and Peter T. Hojnicki, Metropolitan Police Chief were also present.

General Substance of Matters Discussed.

1. The Town Attorney briefed the Town Council about some forthcoming changes to the Tauber, Westland and Bennett, PC. He noted that David Westland and Nicole Bennett would be leaving to form their own law firm effective in April. The Town Attorney characterized the changes as amicable. The Town Attorney indicated that he would be reforming a firm that might be styled the Tauber Law Group, to include Jared, Tara and himself as the principal attorneys. The Town Attorney departed at this time.
2. The Metropolitan Police Chief discussed a new initiative associated with High Intensity Drug Traffic Area (HIDTA) in which the Metropolitan Police Department may be participating.
3. The Metropolitan Police Chief discussed the merits of applying for a round of Federal so-called COPS FAST grants. It was noted that the grants' funding life of three years, associated with police hires having a usual working commitment of as much as 20 years, as well as the fact of the current frozen property tax levy at 2007 levels, these grants presented a funding challenge in future years. Apart from this cautionary discussion, there was some sentiment exhibited for the Chief to pursue COP FAST prudently.
4. The Metropolitan Police Chief discussed with the Town Council an early draft composition of suggested amendments to the current parade regulation ordinance. The discussion included the competing merits of charging for the parade permits for a variety of groups to recover the added costs to operations.

5. The Public Works Director, briefed the Town Council and the Clerk-Treasurer further regarding the lane-closing phase of the Indianapolis Boulevard reconstruction for the portion of US Highway 41 between the Little Calumet River and Ridge Road.
6. The Public Works Director, discussed with the Town Council and the Clerk-Treasurer his desire to have the wage and salary ordinance amended to accommodate the title of the new position of Assistant Public Works Director, and to perhaps create a special hourly wage for Kevin Huzzie, recently demoted from the supervisory position of Streets and Sanitation Supervisor. The Public Works Director further discussed the circumstances and process leading to the demotion.
7. The Town Council and the IT Director discussed some complaints regarding the ability or ease to access remotely the municipal email boxes through the "Squirrel-Mail Portal and Service". There was a discussion regarding the email service.

There being no further matters to discuss, the Town Council Study Session immediately following the plenary business meeting of Monday, February 27, 2012 was adjourned at 7:47 p.m. O'clock.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer